

215 S. Burlington Rd.
Bridgeton, NJ 08302

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

Demetrius Minor
Plaintiff,

V.

Sgt Dilks, individually and officially
John Powell
Sgt. Khulen, Individually & officially
Lt. Mark Weinstein,
Jane and John Does

Civil Action _____

CIVIL ACTION

SWORN DECLARATION

RECEIVED

SEP 23 2019

AT 8:30
WILLIAM T. WALSH
CLERK

I Demetrius Minor, hereby declare under oath the following.

1. In the month of June 2019 I begun advocating for Gay, bisexual, transgender, intersex, or gender non-conforming inmates within the prison.
2. During this time I worked with Inmate Martinez SBI# 321613G who assisted me with creating a proposal designed to reduce the amount of inmates being sent to solitary confinement.
3. I submitted, several Grievances to Administration informing them about the fact that inmates who were Gay, bisexual, transgender, intersex, or gender non-conforming were being informed that if they wanted to get out of their cell they were going to have to refuse to lock in.
4. My Grievance that I submitted was closed out by Administration who said that their was policy in place for inmates to request cell changes.
5. Following being told that a policy was available I requested the policy that allowed inmates to request cell changes, I was advised by administration to refer to my handbook.
6. I read through my handbook several times, and could not find or locate anything that referred to the prison's policy of unit or cell transfers.

Demetrius Minor 494475E

15. As a result of placing inmates who identified as Gay, bisexual, transgender, intersex, or gender non-conforming in solitary and refusing to honor their request for cell transfers and to speak to the Sergeant, many of the inmates who have been impacted by this policy are part of vulnerable populations.

16. I have been on the special needs (mental health rooster) for a little over a year. Because of my status on the mental health rooster I am also engaged in a treatment plan design to help me become more stable.

17. Custody officials, have transferred inmates who are apart of a vulnerable populations without any regards to their mental health status or sexual orientation.

18. South Woods currently houses over 3,000 inmates; the prison is divided into 3 different facilities; each facility is designed to run independently; hence forth inmates who are on different facilities are do not have any physical contact with each other.

19. On Each facility there are 2 housing buildings; each housing building has 4 units.

20. Each unit holds approximately 124 inmates, the housing units are divided and segregated, so the only time inmates have contact with other inmates is during school or appointments.

21. By design the prison is segregated and set up so that if a inmate is moved from one housing building to another, he will not see any one from the other housing building.

22. By design the layout of South Woods was design to segregate, if a inmate is moved of the facility and to another facility within the prison, it will be impossible for him to see the inmates whom he was once housed with.

7. I then asked administration again about this policy and was ignored.
8. Following this I referred initiated a grievance to central offices for a final review, this grievance was subsequently answered by Tiffany Fairweather who stated "What you are requesting interferes with trained staff who make housing assignments ensuring the safety and security of the institution as well as the community. Unfortunately, there is a reason for the department's lack of the policy you see. This matter is considered close."
9. On August 6th 2019 I appealed that response to central offices via Grievance number 19033719, saying that inmates safety was also important and that as such the failure to have a policy that protected inmates who identified as Gay, bisexual, transgender, intersex, or gender non-conforming was a violation of the PREA standards and putting those who identified as LGBT at risk of harm and threat.
10. On August 7, 2019 I was advised by Cindy Ford that my "suggestions" were being "reviewed by executive staff".
11. As a direct result of Defendants actions and failure of actions inmates who are Gay or apart of a vulnerable population such as on the mental health roster or elderly have been denied any review for cell changes or unit transfers, despite there being a section on the inmate inquiry system.
12. Custody staff and Defendants failed to exercise due diligence, by failing to review and investigate inquiries that had merit and were requesting to change cells or units.
13. Custody and Defendants choose to use copy and paste responses to inmates who were raising meritorious concerns.
14. Custody staff at South Woods State Prison have engaged in a common practice of placing inmates who only wish to change cells into solitary.

23. Custody recognizes the segregations of the prison and the hardships that moving inmates from one housing unit to another has on the inmates mental state, and as such has used this as a tool of retaliation against plaintiff and other who engage in constitutionally protected activity such as writing grievances.

24. Plaintiff who identifies as gay reported to mental health that once he was moved to another housing he was beginning to experience harassment and panic attacks.

25. Plaintiff has suffered emotional distress and has lost property.

PURSUANT TO 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

Respectfully Submitted,

 Date 9/10/19
Demetrius Minor